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BEFORE THE WASHINGTON STATE

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UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND)
TRANSPORTATION COMMISSION,)

5

Complainant,)

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vs.)

DOCKET UW-110054

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RAINIER VIEW WATER COMPANY,)
Inc.,)

VOLUME I
PAGES 1-8

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Respondent.)

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A prehearing scheduling conference in the above matter
was held on Thursday, April 28, 2011, at 1:30 p.m., at 1300
South Evergreen Park Drive Southwest, Olympia, Washington,
before Administrative Law Judge MARGUERITE FRIEDLANDER.

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The parties were present as follows:

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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, by
Michael A. Fassio, Assistant Attorney General, P.O. Box
40128, Olympia, Washington 98504; Telephone 360-664-1192

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RAINIER VIEW WATER, by Richard A. Finnigan, Attorney at
Law, 2112 Black Lake Boulevard Southwest, Olympia,
Washington 98512; Telephone 360-956-7001

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Tami Lynn Vondran, CCR No. 2157

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Court Reporter

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P R O C E E D I N G S

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(On the record at 1:32 p.m.)

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JUDGE FRIEDLANDER: Okay. This prehearing will come to order.

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The Washington Utilities and Transportation Commission is set for prehearing conference at this time and place, the tariff filing, in Docket UW-110054 before Administrative Law Judge Marguerite Friedlander, upon due and timely notice to all interested parties.

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This prehearing is held at Commission's offices in Olympia, Washington on Thursday, April 28, 2011.

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The filer in this matter is Rainier View Water Company who is proposing a facilities charge applicable to all applicants for water service for properties the Company does not currently serve. The Company also seeks a waiver of WAC 480-120-425 to the extent that the rule is applicable.

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At this time I will take appearances, starting with Rainier View Water Company.

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MR. FINNIGAN: Thank you. Appearing for Rainier View Water Company, Richard Finnigan. The address is 2112 Black Lake Boulevard Southwest, Olympia, Washington 98512. Telephone number is (360)956-7001. Fax is (360)587-3852. Email is rickfinn@localaccess.com.

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JUDGE FRIEDLANDER: Thank you. The last four

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1 digits of the fax number again. 3852?

2 MR. FINNIGAN: Yes.

3 JUDGE FRIEDLANDER: Thank you. And appearing
4 today on behalf of Staff.

5 MR. FASSIO: Good afternoon, Your Honor. Michael
6 Fassio, Assistant Attorney General. My address is P.O. Box
7 40128, 1400 South Evergreen Park Drive Southwest, Olympia,
8 Washington 98504. My phone number is (360)664-1192. Fax
9 number: (360)586-5522. And email address:
10 Mfassio@utc.wa.gov.

11 JUDGE FRIEDLANDER: Great. Thank you. And I
12 would note for the record that the conference bridge is not
13 operating for this proceeding and that there are no parties
14 or interested persons appearing in the audience today. So I
15 would say that there are definitely no petitions for
16 intervention.

17 Let's go ahead and move on to the topic of a
18 protective order in this case. Do the parties envision that
19 there will be a need for a protective order?

20 MR. FINNIGAN: Your Honor, just to be on the
21 conservative side we would ask that the standard protective
22 order be issued.

23 JUDGE FRIEDLANDER: Okay. So we're talking just
24 the confidential?

25 MR. FINNIGAN: Yes.

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1 JUDGE FRIEDLANDER: Okay. And, Mr. Fassio, is
2 that fine with you?

3 MR. FASSIO: That's fine.

4 JUDGE FRIEDLANDER: Okay. Good. And how about
5 discovery? I assume -- I believe that this case does apply
6 for the discovery rules because it is a rate case. So do
7 you guys wish to invoke the discovery rules in this
8 proceeding?

9 MR. FASSIO: Yes, Your Honor.

10 JUDGE FRIEDLANDER: Thank you.

11 I would remind the parties that the requirements
12 for filing documents with the Commission are established in
13 the WAC 480-07-145. And you might want to pay particular
14 attention because there is the electronic allowance for
15 filing.

16 And have you guys had any discussions as far as
17 procedural schedules?

18 MR. FASSIO: We have not, Your Honor.

19 JUDGE FRIEDLANDER: Okay. Then why don't we go
20 ahead and go off the record, and I'll allow you guys some
21 time alone to discuss possible settlement conferences and
22 procedural schedules.

23 So we're off the record.

24 (Break taken from 1:36 to 2:00 p.m.)

25 JUDGE FRIEDLANDER: We'll be back on the record.

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1 While we were off the record parties discussed a
2 possible procedural schedule.

3 And, Mr. Fassio, would you fill us in as far as
4 the dates?

5 MR. FASSIO: Certainly. We've come up with filing
6 dates and the hearing date as well. The first filing date
7 would be the Company's direct testimony on Thursday, June
8 16th. Followed by the Staff's response testimony on
9 Thursday, July 21st. Followed by the Company's rebuttal
10 testimony on August 18th, Thursday. And we propose a
11 hearing date of August 30th or 31st.

12 JUDGE FRIEDLANDER: Okay. Thank you. And I'm
13 assuming then that one day should be sufficient for the
14 hearing in this matter?

15 MR. FINNIGAN: (Nods his head.)

16 JUDGE FRIEDLANDER: Do you have a preference for
17 morning or afternoon?

18 MR. FINNIGAN: Why don't we start in the morning.

19 JUDGE FRIEDLANDER: Okay.

20 MR. FINNIGAN: Because I think it may take more
21 than a half day but probably shouldn't take --

22 JUDGE FRIEDLANDER: More than a day?

23 MR. FINNIGAN: -- more than a day, no.

24 JUDGE FRIEDLANDER: Okay. Why don't we go
25 Tuesday, August 30th. And we'll start at 9:30.

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1 MR. FINNIGAN: And, Your Honor, just for your
2 information, the parties have agreed to hold--it doesn't
3 have to be part of the formal schedule--but we're going to
4 hold what I would call as an "issues" conference to try and
5 narrow the issues that actually need to be included in
6 testimony. And we're going to do that, if everybody's
7 schedules work, May 18th or 19th.

8 JUDGE FRIEDLANDER: Okay. Great. Thank you. I
9 won't -- I know it's typical that we put those in the
10 procedural -- or I should say prehearing conference order.
11 I can do that this time, subject to change. Obviously I'm
12 not going to attend, it's just for your own reference. You
13 said that was August 18th?

14 MR. FINNIGAN: No, I'm sorry. May 18th or 19th.

15 JUDGE FRIEDLANDER: Okay. Then if it's not really
16 a date certain at this point I will exclude it. I won't put
17 it in.

18 MR. FINNIGAN: That's fine.

19 JUDGE FRIEDLANDER: But I do appreciate the
20 efforts in drafting the procedural schedule and getting that
21 coordinated. And I take it then there are -- there are not
22 going to be any post hearing briefs or anything of that sort
23 at this juncture?

24 MR. FINNIGAN: Your Honor, if we could bring that
25 back to you after we've had our meeting on trying to narrow

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1 the issues?

2 JUDGE FRIEDLANDER: Sure.

3 MR. FINNIGAN: And then we can let you know
4 whether we need to build in some dates for briefing.

5 JUDGE FRIEDLANDER: Okay. Is that okay with you,
6 Mr. Fassio?

7 MR. FASSIO: That's appropriate for Staff as well.

8 JUDGE FRIEDLANDER: Okay. Great. Thank you. Is
9 there anything else that we need to address before
10 adjourning?

11 MR. FINNIGAN: Not that I am aware of.

12 JUDGE FRIEDLANDER: Okay. Great. Then we are
13 adjourned.

14 MR. FASSIO: Thank you.

15 JUDGE FRIEDLANDER: Thank you.

16 (Off the record at 2:03 p.m.)

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C E R T I F I C A T E

I, TAMI LYNN VONDRAN, a Certified Court Reporter,
do hereby certify that I reported in machine shorthand the
foregoing proceedings in the above-entitled cause; that the
foregoing transcript was prepared under my personal
supervision and constitutes a true record of the testimony
of the said witness.

I further certify that I am not an attorney or
counsel of any parties, nor a relative or employee of any
attorney or counsel connected with the action, nor
financially interested in the action.

DATED at Edgewood, Washington this 12th day of
May, 2011.

Tami Lynn Vondran, CCR
Certified Court Reporter
License No. 2157